
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

THE NECK HAMMOCK, INC., a Delaware corporation,

Plaintiff,

vs.

LABEL TAPE WORLD, an unknown corporation, and JOHN DOES 1 through 10, doing business as “Label Tape World” on www.amazon.com,

Defendants.

Case No.: 2:19-cv-00505-DAK-DBP

**ORDER GRANTING PLAINTIFF’S
EX PARTE MOTION FOR SERVICE
BY ALTERNATE MEANS UNDER
RULE 4(e)(1) AND TO EXTEND
TIME TO EFFECT SERVICE**

**District Judge Dale A. Kimball
Magistrate Judge Dustin B. Pead**

JURY DEMANDED

This matter came before the Court on Plaintiff’s *Ex Parte* Motion for Service by Alternate Means and to Extend Time to Affect Service (“the Motion”) (ECF No. 22.) Having reviewed the Motion, Declaration of Attorney Brian N. Platt (ECF No. 23) and for good cause appearing, it is hereby ORDERED:

(A) The Motion is GRANTED.

(B) Plaintiff The Neck Hammock, Inc. (“NH”) may effect service of its Complaint on Defendant Label Tape World (“Defendant”) by sending the complaint to Defendant’s active business email address at nexgennutrition@yahoo.com.¹

¹ Defendant maintains an Amazon third-party marketplace stor on Amazon. Com, with more than 50 items listed for sale as of January 14, 2020. *Declaration of Brian N. Platt*, (ECF No. 23 at ¶ 6.)

- (C) Service of the Complaint will be complete once NH receives a confirmation that the Complaint has been sent to the recipient.
- (D) NH has acted diligently to locate and contact Defendant. Accordingly, NH is granted an extension of time to serve its complaint on Defendant. Specifically, NH must serve its complaint within seven (7) calendar days of the date of this Order.

DATED this 15th day of January, 2020.

BY THE COURT:



Dustin B. Pead
United States Magistrate Judge